IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 14179 of 2005

Between:

Dronadula Ganesh, S/o Rajeshwar Rao
R/o 76-11-26/1, Kollapharam Road, Bhavanipuram Vijayawada,

Krishna District.

... PETITIONER

AND

1 Acharya Nagarjuna University, Narajuna Nagar, Guntur rep by

Registrar.
2 The Controller of Examinations, Acharya Nagarjuna University,

Nagarjuna Nagar, Guntur.
3 Dr. Zakeer Hussain College of Arts and Science, Ibrahimpatnam,

Krishna District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ Order or Direction more particularly one in the nature of Writ of Mandamus, to declare the action of the 2nd respondent in announcing the petitioner's revaluation results on
15-6-2005 after the instant Examination held on 11-06-2005 though the petitioner paid the revaluation fee on 3-6-2005 and announcing the have failed in Computer Paper-3 thereby depriving the petitioner of his right to participate in the instant Examination and wrongly revaluing the petitioner's computer Science Paper-3 as having failed again, as arbitrary, illegal violative of Article 14 of the Constitution of

India and consequently direct the respondent No.2 to revalue the computer science Paper-3 of the petitioner again or to conduct fresh instant Examination for the computer Science Paper-3 for the petitioner.

Counsel for the Petitioner: MR.P.RADHAKRISHNA

Counsel for the Respondents: MR.T.S.HARNATH

The Court made the following:

Order:

This writ petition is filed by the petitioner alleging that the respondent-university failed to declare the results of revaluation before conducting the instant examination on 11-06-2005, though the petitioner paid revaluation fee on 03-06-2005 itself and the results were communicated only on 15-06-2005 after the instant examination and the said action is illegal, arbitrary and violative of the provisions of the Constitution of India and consequently to direct the respondent to revalue Computer Science Paper-3 of the petitioner again or to conduct fresh instant examination for the said paper.

2. According to the petitioner, he appeared for Final year B.Sc. Computer Science for the academic year 2004-05 and the results were published. As the petitioner failed in two papers, he made application for revaluation of those papers by paying the requisite fee on
03-06-2005. According to the petitioner, the results of the revaluation ought to have been published much before 11-06-2005, the date on which the instant examinations have been conducted. As the petitioner failed in two subjects, he sought for revaluation. As a result of the revaluation, the petitioner passed one out of the two papers, leaving only one paper. The petitioner had an opportunity to appear for the instant examination, but as the results were not declared before the instant examination scheduled on 11-06-2005, he could not appear for the instant examination, thereby deprived him of the opportunity to complete the final year examinations; this is due to the
inappropriate action on the part of the respondent-university, as they have declared the results on 15-06-2005, i.e. after the instant examination has been conducted.

3. Counter Affidavit is filed by the respondent-university disputing and denying the allegations and it is stated that revaluation results were published on 05-06-2005. It

is also stated that the results of the revaluation were communicated to all the Principals on 06-06-2005 itself. The results are also published in the newspapers on 06-06-2005. The applications of the students for the instant examination were received till the last date; therefore, there is no irregularity on the part of the respondent-university either in declaring the results of revaluation or in conducting the instant examination. In fact, at the time of hearing, the learned Standing Counsel, while producing the schedule announced by the university much in advance, stated that the university has acted in accordance with the schedule and that there is no deviation.

4. In fact, this Court, during the course of hearing on the last occasion, directed the learned Standing Counsel for the
respondent-university to produce the communication given by the university to the third respondent-college with reference to the revaluation results. The learned Standing Counsel placed before this Court, the covering letter dated 06-06-2005, addressed by the Registrar of the first respondent-university to the third respondent-college, enclosing the results of revaluation and directing the college to publish the same for the benefit of the students as well as the staff. Therefore, the learned Standing Counsel contended that there is absolutely no irregularity in the procedure adopted by the university.

5. Heard both sides and perused the material available on record.

6. In view of the fact that the results were published on 05-06-2005 itself, which is evidenced by the publication in the newspaper, and apart from the fact of communication of the results including the details as to the paper wise results to the respective colleges, including the third respondent-college along with a covering letter of the Registrar of the University, dated 06-06-2005, it is difficult to accept the contention of the petitioner that the revaluation results were published only on
15-06-2005, the date which is shown on the marks memo. The memo might have been issued subsequent to the publication of the results of revaluation and the date which is shown on the marks memo may not be the date of publication of results, as is evident. In view of the
above-referred material evidencing that the revaluation results were published on 05-06-2005 itself, which were communicated to the respective colleges on 06-06-2005, there is absolutely no merit in the writ petition.

7. The writ petition is accordingly dismissed. No order as to costs.

JUSTICE S. ANANDA REDDY

July 18, 2005

MRR

Assistant Registrar

Copy to. –

1 The Registrar, Acharya Nagarjuna University, Narajuna Nagar, Guntur
2 The Controller of Examinations, Acharya Nagarjuna University,

Nagarjuna Nagar, Guntur
3 Dr. Zakeer Hussain College of Arts and Science, Ibrahimpatnam,

Krishna District

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